

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Terrance D. Nielsen, Nancy J. Nielsen,  
and E.N. and N.N., minor children,  
by and through Terrance E. D. Nielsen  
and Nancy J. Nielsen, their parents  
and legal guardians,

Plaintiffs,

v.

Case No. 21-cv-00509 (JRT/LIB)

City of Isle, Aitkin County;  
Officer Alex Thurber, in his individual  
and official capacities;  
Deputy Nathan Parenteau,  
Deputy Jon Cline, and  
Deputy Cody Schwinghammer,  
in their individual and official  
capacities, and State Trooper Joseph Setnes,  
in his individual capacity,

Defendants.

**STATEMENT OF THE CASE  
OF DEFENDANTS  
COUNTY OF AITKIN,  
NATHAN PARENTEAU, JON CLINE  
AND CODY SCHWINGHAMMER**

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**COMES NOW**, Defendants, County of Aitkin and Deputies Nathan Parenteau, Jon Cline and Cody Schwinghammer, and make the following as their Statement of the Case:

**a. Defendants' version of the case.**

Aitkin County Deputies Parenteau, Cline and Schwinghammer were in southern Aitkin County responding to calls relating to extensive storm damage including, but not limited to, a downed powerline over the area of Highway 47. While the deputies were addressing emergency traffic issues associated with the storm damage, they responded to a request for assistance with regard to a suspect fleeing from Isle Police Officer Thurber. The deputies were told that the suspect was in a red passenger vehicle. Based on the

request for assistance from the City of Isle officer, the Aitkin County deputies utilized stop sticks to attempt to stop the fleeing vehicle. The Aitkin County deputies assisted primary Officer Thurber in effecting standard felony stop proceedings based on their good faith reliance on Officer Thurber's representation that the subject vehicle had been involved in committing a felony crime. Officer Thurber identified the Nielsen vehicle as the suspect vehicle. That while Plaintiffs remained at the scene, based on the actions of the Aitkin County deputies and Trooper Setnes, they were able to determine that Officer Thurber had stopped the wrong vehicle and Plaintiffs were released on-scene.

**b. A listing of particularized facts which support the claimed liability or defenses, including any applicable statutes as identified by number.**

See a. above. Official immunity and qualified immunity.

**c. An itemization and explanation of any claimed damages.**

Not applicable.

Dated: 6/18/21

**JARDINE, LOGAN & O'BRIEN, P.L.L.P.**

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Deputies Nathan Parenteau, Jon Cline and  
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